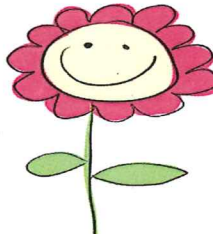
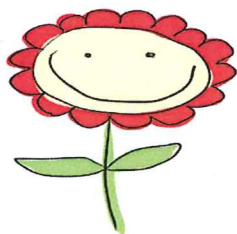


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# AGENDA

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1. Roll Call
2. Minutes – January 13, 2010 (Regular Meeting) *Discussion & Action*
3. Rezoning Case      **W. Richard & Sharon E. Wildman** ~ Green & Madison Township ~ Located on the south side of Battin-Howell Road approximately 850 feet east of Selma Road ~ 20.439 Acres ~ A-1 (Agricultural District) to AR-10 (Agricultural/Residence District) *Discussion & Action*
4. Staff Comments *Discussion*
5. Adjournment *Action*



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## HAPPY SPRING!

# ***Minutes***

## ***Clark County Rural Zoning Commission***

Regular Meeting ~ 8:30am.  
Wednesday, January 13, 2010

Springview Government Center  
3130 East Main Street  
Springfield, Ohio 45505

Vice Chairperson Smith of the Clark County Rural Zoning Commission of Clark County Ohio, calls the meeting to order at 8:30am.

Present: Mrs. Linda Smith, Mr. Gary Cummins, Mr. John Baird, Mr. John Hays and Mr. Tom Crosbie (arrived at 8:34 a.m.)

Absent: Mrs. Jerri Taylor.

### **RZC: 1-1-2010: Minutes ~ October 14, 2010 (Regular Meeting)**

Motion by Mr. Baird, seconded by Mr. Cummins, to approve the minutes as presented.

**VOTE: Motion carried unanimously.**

### **Z-2009-5: Rezoning Case ~ Garry & Patricia Williams ~ 2.218 acres ~1979 Lake Rd. ~ Bethel Township ~ R-1 to B-3**

Mr. Tritle presents several maps and exhibits of this case and states that the property is currently zoned R-1 (Rural Residence District) and the request for rezoning is to B-3 (General Business District). The property is located on the west side of Lake Road, south of US 40 and north of Gerlaugh Road, it is in the northeast corner of the Crystal Lake Development. The surrounding zoning is A-1 to the north, R-3 to the west and south and a B-1 and I-1 across the street. The staff report shows this property was zoned R-1 as part of the original zoning adoption for Bethel Township. Previous Rezoning Case Z-2009-3, from R-1(Rural Residence District) to B-4 (Heavy Business District) was denied in October 2009. The B-3 District was requested to accommodate the proposed use of a used car lot. According to the applicant's drawing, out of the entire 2 acres only a 50' x 70' (3500 sq. ft.) area is being paved and there will be a small office building.

The County Engineer has reviewed and noted a possible drainage outlet issue. They have no objection to the rezoning request.

The Soil Conservation provided a report indicating soil characteristics and drainage. They have no objection to the rezoning request.

The County Combined Health District has no report. The site can be served by public sewer.

When Bethel Township originally adopted zoning in 1964, this property was zoned R-1 (Rural Residence District). It has remained undeveloped. According to County records, the applicant obtained this property in 2004. On July 6, 2009, the applicant filed for rezoning to a B-4 District. This rezoning was denied. They have filed this second request to rezone to B-3. The B-3 District was requested to accommodate the proposed use of a used car lot.



# *Minutes*

## *Clark County Rural Zoning Commission*

The *CROSSROADS* Comprehensive Land Use Plan identifies this area as Medium Density Residential. The Plan states – “Medium density residential development (4 to 6 dwellings per acre – gross density) should be directed to existing residential growth areas, where it can be serviced by central water and sewer service. This is recommended for portions of Bethel, Mad River, Moorefield and Springfield Townships – and the majority of the City of Springfield. Neighborhoods should transition to business areas through the use of multi-family development and institutional uses. New residential development should not be located in close proximity to established or planned industrial areas. Supporting commercial uses are appropriate, but only at key intersections.” Although there are adjacent areas zoned for commercial uses, these were rezoned prior to the *CROSSROADS* Plan in 1973 & 1984.

On December 2, 2009 the Clark County Planning Commission recommended approval to the Rural Zoning Commission from R-1 (Rural Residence District) to B-3”S” (General Business District – Specific Use) with the specific use limiting pavement to 3500 sq. ft. (50’ x 70’). Motion carried.

The staff is recommending denial of the rezoning request from A-1 (Agricultural District) to B-3 (General Business District) due to the location of the property, the surrounding uses and the *CROSSROADS* Comprehensive Plan. This is the same recommendation as the previous rezoning case Z-2009-3. If this board chooses to recommend approval of this rezoning case, staff recommends that you follow the County Planning Commission recommendation to include the “S” (Specific Use District) stipulating “used car lot with pavement not to exceed 3500 sq. ft.” to tie it into a specific use.

Mr. Baird asks for clarification that only with “that restriction” would staff recommend approval.

Mr. Tritle responds that should this board approve the rezoning and follow the County Planning Commission’s recommendation of approval, additional language should include “S” (Specific Use District) with specific verbiage as “used car lot with the maximum of 3500 sq. ft. of pavement” to further restrict the use.

Vice Chairperson Smith opens the meeting to the public at 8:39 a.m.

Mr. Garry Williams (Applicant) whose address is 5791 N. Dayton Lakeview Rd., states that according to the Clark County Engineer, as long as land development stays under one-half (½) acre there shouldn’t be issues with water drainage. Our plan is to stay under one-half (½) acre. If there has to be a stipulation of size or area to the “Specific Use,” I would like to request one-half (½) acre as indicated by the Engineer.

Mr. Cummins asks if there is a copy of the letter stating one-half (½) acre.

Mr. Tritle responds no. What Mr. Williams is referring to is the County Storm Water Regulations that regulate larger type of developments over one-half (½) acre. If you are under one-half (½) acre the regulations don’t necessarily apply. Mr. Tritle indicated the letter showing the one-half (½) acre limitation is included with the staff report.

Mrs. Smith asks where the 3500 sq. ft. measurement being referenced originated.

# *Minutes*

## *Clark County Rural Zoning Commission*

Mr. Tritle responds that that is what the applicant re-submitted under the B-3 as indicated on their drawing for proposed hard surface being 50' x 70' (3500 sq. ft.). A half acre (½) would be approximately 20,000 sq. ft.

Mr. Baird asks where the water runs to.

Mr. Tritle responds this property currently has no drainage problems however, the mobile home park adjacent to this property proposed a plan to expand several years ago and they showed a drainage plan that would run a discharge pipe along the road and into Crystal Lake. The Trustees turned this plan down. There is no good outlet source other than going toward the Lake.

Mrs. Smith asks in reference to "hard surface area" would that strictly be paved surface. Is gravel allowed beyond the pavement.

Mr. Tritle responds that you can have gravel that wouldn't impact as much as pavement. However, Clark County Zoning Regulations require all parking areas and adjacent aisles or driveways to be paved with asphalt or cement.

Mr. Cummins asks if the building and pavement together should be the 3500 sq. ft.

Mr. Tritle responds that only the parking and driveway total 3500 sq. ft. The building is 10' x 20' (200 sq. ft.) and is consider inconsequential.

Mr. Baird asks if you put one-half (½) acre of pavement down instead of the 3500 sq. ft. will that impact the run off onto another property.

Mr. Tritle responds that the property is to some extent level and more than likely would not impact the drainage much at all.

Mr. Baird expresses that 3500 sq. ft. isn't much of an area for the intended business.

Mr. Tritle suggests that if this board recommends approval of one-half (½) acre than the specific verbiage should state a maximum of one-half (½) acre of hard surface. This would encompass the parking lot, driveway and building.

Mr. Williams expresses that one-half (½) acre of hard surface would be most suitable for his business.

Vice Chairperson Smith closes the public meeting at 8:51 a.m.

Hearing no further questions, Mrs. Smith asks for a motion.

**RZC: 1-2-2010: Z-2009-5: Rezoning Case ~ Garry & Patricia Williams ~ 2.218 acres ~ 1979 Lake Rd. ~ Bethel Township ~ R-1 to B-3 "S"**

Motion by Mr. Cummins, seconded by Mr. Baird to recommend Approval of rezoning case Z-2009-5 to B-3"S" (General Business District – Specific Use) with the specific use of a used car lot limiting hard surface to a total of one-half (½) acre.



**VOTE: Motion carried unanimously.**

**Z-2010-1: Rezoning Case ~ Melvin Ward ~ 5.44 acres ~ 644 S. Medway-Carlisle Rd. ~ Bethel Township ~ A-1 to R-1**

Mr. Tritle presents several maps and exhibits of this case and states that the property is currently zoned A-1 (Agricultural District) and the request for rezoning is to R-1 (Rural Residence District). The property is located on the east side of Medway-Carlisle Rd., north of Kendig Rd. and south of US 40. The surrounding zoning is A-1 to the north, west and east and A-1 and R-1 to the south. The staff report shows this property was zoned A-1 as part of the original zoning adoption for Bethel Township.

The County Engineer has reviewed the access and drainage. There is no objection to the rezoning request.

The Soil Conservation provided a report indicating soil types and drainage issues.

The County Combined Health District has no report. There is on site well & septic.

The *CROSSROADS* Comprehensive Land Use Plan identifies this area as Medium Density Residential and Agricultural/Rural Residence. The Plan states – “Medium density residential development (4 to 6 dwellings per acre – gross density) should be directed to existing residential growth areas, where it can be serviced by central water and sewer service. Neighborhoods should transition to business areas through the use of multi-family development and institutional uses. New residential development should not be located in close proximity to established or planned industrial areas” and “Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agricultural/Rural Residential. This designation emphasizes agriculture as the dominant land use, but also recognizes that residential uses are appropriate if very low density in character (less than one dwelling per two acres – gross density) and/or clustered to preserve significant open space features (such as prime agricultural soils).”

The applicant submitted a Zoning Permit Application for an addition to the south side of the existing residence. The new addition would be 15' from the side lot line. Due to the locations of the well and septic systems, the addition could not be placed at the front or rear of the dwelling. Under the current A-1 District, the minimum side setback for a residential structure is 25'. The applicant was informed that the Zoning Permit could not be approved as submitted and indicated two options were available in order to be in compliance with a 15' side setback – 1) apply for a variance to the Board of Zoning Appeals (BZA), or 2) apply for rezoning to the R-1 District. The applicant chose the second method.

The Bethel Township Trustees sent a memo stating they have no objection to the rezoning.

The staff is recommending approval of the rezoning request from A-1 (Agricultural District) to R-1 (Rural Residence District.)

On January 6, 2010 the Clark County Planning Commission recommended approval to the Rural Zoning Commission from A-1 (Agricultural District) to R-1 (Rural Residence District). Motion carried unanimously.

Mr. Baird asks why the applicant took this route instead of obtaining a variance.

Mr. Tritle responds that even though it was an option, the Board of Zoning Appeals has scrutinized variances in recent years. Therefore, they may have difficulty showing their situation is unique enough from other lots in the area to be granted a variance. Rezoning was a more positive approach.

Mr. Cummins asks for confirmation that the applicant will gain 10 feet from rezoning.

Mr. Tritle responds yes. Under R-1 (Rural Residence District) 15' is the allowable setback for the side lot line.

Vice Chairperson Smith opened the public hearing at 8:59 a.m. and asked for proponents.

Mrs. Sheri Ward (Wife of Applicant) whose address is 644 S. Medway-Carlisle Rd., states that the reason for the addition is to accommodate their four children with additional space that is needed for home schooling them. They have looked at all options and are limited to putting the addition on the south side of the dwelling because of where the well and septic system and main power lines are located on the property.

Vice Chairperson Smith asked for opponents.

Mrs. Sandra Garrity whose address is 738 S. Medway Carlisle Rd., states that she is the neighbor located to the south of the applicants. She moved to this property for the space and agricultural zoning that restricts buildings from being built too close to the property lines. She is opposed to the rezoning for several reasons:

- The addition would bring the structure to within 15 ft. of their property line and current zoning restricts this from happening. The setback lines are what they are because these properties aren't located in a subdivision.
- Drainage from the Ward's property drains into their horse barn. The extra hard surface and drainage may increase more with the addition. This will create obstacles for potentially boarding additional horses and animals as well as vehicles getting back to the barn for veterinarian, farrier and boarding purposes.
- The intent to create a pasture on the back half of her property for her animals may be in jeopardy.
- The Ward's will not follow the rules and regulations as demonstrated with other things they have done to their property. (i.e., vast amounts of gravel and asphalt added throughout their property, a 17' to 18' high barrier by her barn that was constructed and the posts that support it are impinging on her property).

Mrs. Garrity asks if she may submit photos to the board that show her severe concerns about the addition wanting to be built so close to her property line.



Vice Chairperson Smith responds yes.

Mrs. Garrity states that she wants to preserve their rural setting. Changing the Ward's zoning to R-1 (Rural Residence District) will violate her way of life and the agricultural integrity of her property. She doesn't want her space and/or buffer area impinged upon. She respectfully asks that the request for rezoning be denied.

Mr. Cummins asks Mrs. Garrity if she would have an objection to an addition being built on the front or rear of the Ward's dwelling.

Mrs. Garrity responds no because that would not impinge on my space.

Mrs. Ward states that the Garrity's fence runs the entire length (front to rear) of their property. It is 10' high with 3 strands of barbed wire at the top and is in violation. The fence has a gate that has a chain and padlock on it which runs through the natural watershed in the front and is controlled by the Garrity's. We recently went to court about this due to water being held to the north of this gate and flooding our property. The Garrity's have a dam in their back yard that has no culverts for water to pass through. They have filled it in with dirt to the top and this has also caused flooding on our property. Our proposed addition is 400 feet from the watershed and water has never reached that area. There has never been water build-up where Mrs. Garrity says there has been at her barn.

Mr. Cummins asks how close the well is to the house.

Mrs. Ward responds 15 feet.

Mr. Baird asks if the waterway is an open ditch and where does it go.

Mr. Tritle responds that yes it is an open ditch and it runs for several miles.

Mr. John Garrity whose address is 738 S. Medway Carlisle Rd., states that he is also the neighbor located to the south of the applicants. He would like to state his opposition to the rezoning for several reasons:

- He would like to reiterate his wife's concerns with regards to the run off from the Ward's property flowing into their barn in the past. They have completed fencing around the back part of their yard except for swing gates that will then enclose the entire back section. This section will become pasture or forage for more animals.
- Scenario: If someone came to you asking for rezoning to Residential and stated that:
  - a.) Vast amounts of water in excess of 50' wide flood the property when it rains.
  - b.) Water ponds and is deep enough to keep resident's in the house from crossing over the waterway to the street.
  - c.) The ponding remains for days and/or weeks breeding mosquito's and other insects that carry infectious disease

and endangers the health and safety of the resident's.

- d.) The house on the property will be flooded in the event of a steady period of significant rain fall that typically occurs in the Fall and Spring.

Would you zone that property Residential?

Mr. Garrity states that these are descriptions the Ward's used in a sworn statement in the law suit brought against them by the Ward's. Reference: Case Number 08CD1109 in the Court of Common Pleas, Clark County, Ohio. The judge ruled that we were not responsible for the flooding that has occurred on the Ward's property. The County Engineer's Office and County Soil & Water Conservation Department have said that flooding has been a problem in this particular area since the 1950's.

Mr. Cummins asks Mr. Garrity if he has a lock on the flood gate.

Mr. Garrity responds no not at this time.

Mr. Randy Dixon whose address is 592 S. Medway Carlisle Rd. states that he lives north of the Ward's property. He has lived there for 33 years and has seen people come and go out of both the Ward's and Garrity's properties. He knows the drainage situation very well and has had buildings erected on his own property. There is a good sized hill that runs down the backs of their properties and right towards the waterway. They all have too much slope for it not to naturally go toward that natural drainage. Any water running into the Garrity's barn is running off of their hill or an intentional hole dug around their barn to cause flooding.

Vice Chairperson Smith closes the public meeting at 9:24 a.m.

Hearing no further questions, Mrs. Smith asks for a motion.

**RZC: 1-3-2010: Z-2010-1: Rezoning Case ~ Melvin Ward ~ 5.44 acres ~ 644 S. Medway-Carlisle Rd. ~ Bethel Township ~ A-1 to R-1**

Motion by Mr. Baird, seconded by Mr. Cummins to recommend Approval of rezoning case Z-2010-1 as presented.

**VOTE: Motion carried unanimously.**

### **Election of Officers**

**RZC:1-4-2010: Election of Chairman**



## Rezoning Case # Z-2010-2

To: Clark County Rural Zoning Commission	Date of Meeting: May 12, 2010
From: Community Development Staff	Date of Report: April 27, 2010

**Applicant:** W. Richard & Sharon Eileen Wildman

**Request Action:** Rezone **from - A-1** (Agriculture District)  
**to - AR-10** (Agricultural/Residential District)

**Purpose:** To split 20.439 ac. out of 129 acres

**Location:** south side of Battin-Howell Rd. approx. 850 feet east of Selma Pike,  
Green and Madison Townships

**Size:** 20.439 acres (6.7153 ac. in Green Twp. / 13.7237 ac. in Madison Twp.)

**Existing Land Use:** agricultural

### Surrounding Land Use and Zoning:

	Land Use	Zoned
<b>North</b>	Agriculture	A-1 (Agricultural)
<b>South</b>	Agriculture & residential	A-1(Agricultural) & R-1 (Rural Residence)
<b>East</b>	Agriculture	A-1 (Agricultural)
<b>West</b>	Agriculture & scattered residential	A-1 (Agricultural)

### ANALYSIS

This area was zoned A-1 Agricultural when zoning was originally adopted.

### REPORTS FROM OTHER AGENCIES

#### *County Engineer*

The County Engineer has reviewed the request to rezone 20.439 acres for access and drainage and they have no objection to the request. (See April 22, 2010 letter)

### ***Soil Conservation***

The Clark Soil & Water Conservation District has reviewed the site and provided information relative to soils and drainage. (See April 26, 2010 letter)

### ***Planning Department***

This property is classified by the Clark County Land Use Plan as Agriculture/Rural Residential. Predominantly rural portions of the County, where agriculture should remain the priority, are designated as Agricultural/Rural Residential. This designation emphasizes agriculture as the dominant land use, but also recognizes that residential uses are appropriate if very low density in character (less than one dwelling per two acres - gross density) and/or clustered to preserve significant open space features (such as prime agricultural soils). Lot divisions between 5 acres and 40 acres must be rezoned in order to comply with County Zoning Regulations

## **RECOMMENDATION**

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The Staff recommends approval of rezoning 20.439 acres to AR-10.

### **Clark County Planning Commission - Meeting Date: May 5, 2010**

Motion by Mr. Lyons, seconded by Mr. Burkhardt to recommend **Approval** to the Rural Zoning Commission of the request of W. Richard & Sharon Eileen Wildman to rezone 20.439 acres located on the south side of Battin-Howell Rd. approx. 850 feet east of Selma Pike, Green and Madison Townships from A-1 (Agricultural District) to AR-10 (Agricultural/Residential District).

**VOTE:**        Yes -    Unanimous

#### Attachments:

County Engineer's letter

Soil Conservation letter

Location Map

Lot Map

Zoning Map



# Clark County Engineer's Department

Johnathan A. Burr P.E., P.S.  
Clark County Engineer

4075 Laybourne Road  
Springfield, Ohio 45505-3613  
(937) 521-1800 (937) 328-2473 fax  
[www.clarkcountyohio.gov/engineer](http://www.clarkcountyohio.gov/engineer)

April 22, 2010

Clark County Planning Commission  
3130 E. Main Street, Suite 1A  
Springfield, Ohio 45505  
Attention: Phil Tritle

Re: Z-2010-02 ~ Richard & Sharon Wildman  
20.439 Acres Battin Howell Rd. from A-1 to AR-10

Mr. Tritle,

The County Engineer has reviewed the request by Richard and Sharon Wildman to rezone 20.439 acres currently zoned A-1 agriculture to AR-10 Rural Residential to facilitate a subdivision of property.

- 1) Access
  - a) The property has direct access onto Battin Howell Road, which is classified as a Local Collector Street on the County's Thoroughfare Plan.
  - b) There does not appear to be existing drive for access, to the subject property. The owner/applicant will need to acquire a permit and install a farm field drive.
- 2) Drainage
  - a) The site is being utilized in an agricultural nature and the site appears to drain satisfactorily in the present undeveloped state.

The County Engineer has no objection to the request to rezone 20.439 acres in Madison Township, based on the above noted comments.

Sincerely,

Johnathan A. Burr, P.E., P.S.  
Clark County Engineer



Kenneth D. Fenton  
Deputy Engineer

I:\ZONING\2010 Zoning\Z-2010-2 Wildman AR10.doc

Paul W. DeButy, P.E. - Deputy Engineering/Planning  
Kenneth D. Fenton, P.S. - Deputy Engineer  
Doug Frank - Superintendent, Bridges/Garage/Traffic  
Mark Niccolini - Drainage Maintenance Supervisor

Ned G. Weber - Deputy Operations/Maintenance  
Thomas Bender, P.E. - Project Design Engineer  
Donald Boyle - Road Superintendent  
William Pierce, P.S. - Tax Map Director



4400 Gateway Blvd. - Suite 103  
Springfield, Ohio 45502

Phone (937) 328-4600/4601  
Fax (937) 328-4606

*With the Right to Own - Goes the Duty to Conserve*

**BOARD OF SUPERVISORS**

Brent Pence, Chairman  
John Ritter, Vice Chairman  
Fred Berge, Fiscal Agent  
Adam Agle, Secretary  
Dan Maxson, Treasurer

April 26, 2010

Phil Tritle  
3130 East Main Street  
Springfield, Ohio 45505

RE: W. Richard & Sharon E. Wildman - **REZONING** -Madison Twp. - 20.439 ac. - A-1 to AR-10 - split off lot

Dear Phil,

The Clark Soil & Water Conservation District has reviewed the above site and provided the following information relative to soils, drainage and building site development. The attached report is generated from NRCS's soil survey for Clark County. The report provided gives a clear, visual interpretation for Building Site Development including small commercial buildings, dwellings with a basement and dwellings without a basement. Please note that a *Very limited rating* indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected. Please contact our office with any further questions you may have on the site in question.

**Soils**

**Map unit: CeA - Celina silt loam, 0 to 2 percent slopes**

Celina is a nearly level, very deep, moderately well drained soil. Typically the surface layer is silt loam about 8 inches thick. The surface layer has a moderate content of organic matter. This soil is not flooded and is not ponded. The top of the seasonal high water table is at 27 inches. This soil is not hydric.

**Map unit: EpB2 - Eldean-Miamian complex, 2 to 6 percent slopes, eroded**

Eldean is a gently sloping, very deep, well drained soil. Typically the surface layer is silty clay loam about 7 inches thick. This soil is not flooded and is not ponded. The seasonal high water table is at a depth of more than 6 feet. This soil is not hydric.

**Map unit: EpC2 - Eldean-Miamian complex, 6 to 12 percent slopes, eroded**

Eldean is a sloping, very deep, well drained soil. Typically the surface layer is silty clay loam about 6 inches thick. This soil is not flooded and is not ponded. The seasonal high water table is at a depth of more than 6 feet. This soil is not hydric.

**Drainage**

The proposed site seems to drain adequate with its current land use. Our office has no written or historical records of any sub-surface drainage on the proposed site, however our office does have plans for a systematic sub-surface drainage system installed in 1978 on the lower part of this farm. If any sub-surface drainage is encountered during excavation, please take the appropriate corrective measures. Contact our office with any questions you may have concerning this project.

Sincerely,

Jereme Best  
District Technician, Clark SWCD

CONSERVATION ~ DEVELOPMENT ~ SELF-GOVERNMENT



Soil Map—Clark County, Ohio  
(Richard & Sharron Wildman)



## Report—Dwellings and Small Commercial Buildings (OH)

[Onsite investigation may be needed to validate the interpretations in this table and to confirm the identity of the soil on a given site. The numbers in the value columns range from 0.01 to 1.00. The larger the value, the greater the potential limitation. The table shows only the top five limitations for any given soil. The soil may have additional limitations]

Dwellings and Small Commercial Buildings (OH)— Clark County, Ohio							
Map symbol and soil name	Pct. of map unit	Dwellings without basements (OH)		Dwellings with basements (OH)		Small commercial buildings (OH)	
		Rating class and limiting features	Value	Rating class and limiting features	Value	Rating class and limiting features	Value
CeA—Celina silt loam, 0 to 2 percent slopes							
Celina	85	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.50	Depth to saturated zone	0.99	Shrink-swell	0.50
EpB2—Eldean-Miamian complex, 2 to 6 percent slopes, eroded							
Eldean	50	Not limited		Not limited		Somewhat limited	
						Slope	0.68
Miamian	35	Somewhat limited		Not limited		Somewhat limited	
		Shrink-swell	0.50			Slope	0.68
						Shrink-swell	0.50
EpC2—Eldean-Miamian complex, 6 to 12 percent slopes, eroded							
Eldean	50	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.50	Slope	0.01	Slope	0.99
		Slope	0.01			Shrink-swell	0.50
Miamian	35	Somewhat limited		Somewhat limited		Somewhat limited	
		Shrink-swell	0.50	Slope	0.01	Slope	0.99
		Slope	0.01			Shrink-swell	0.50

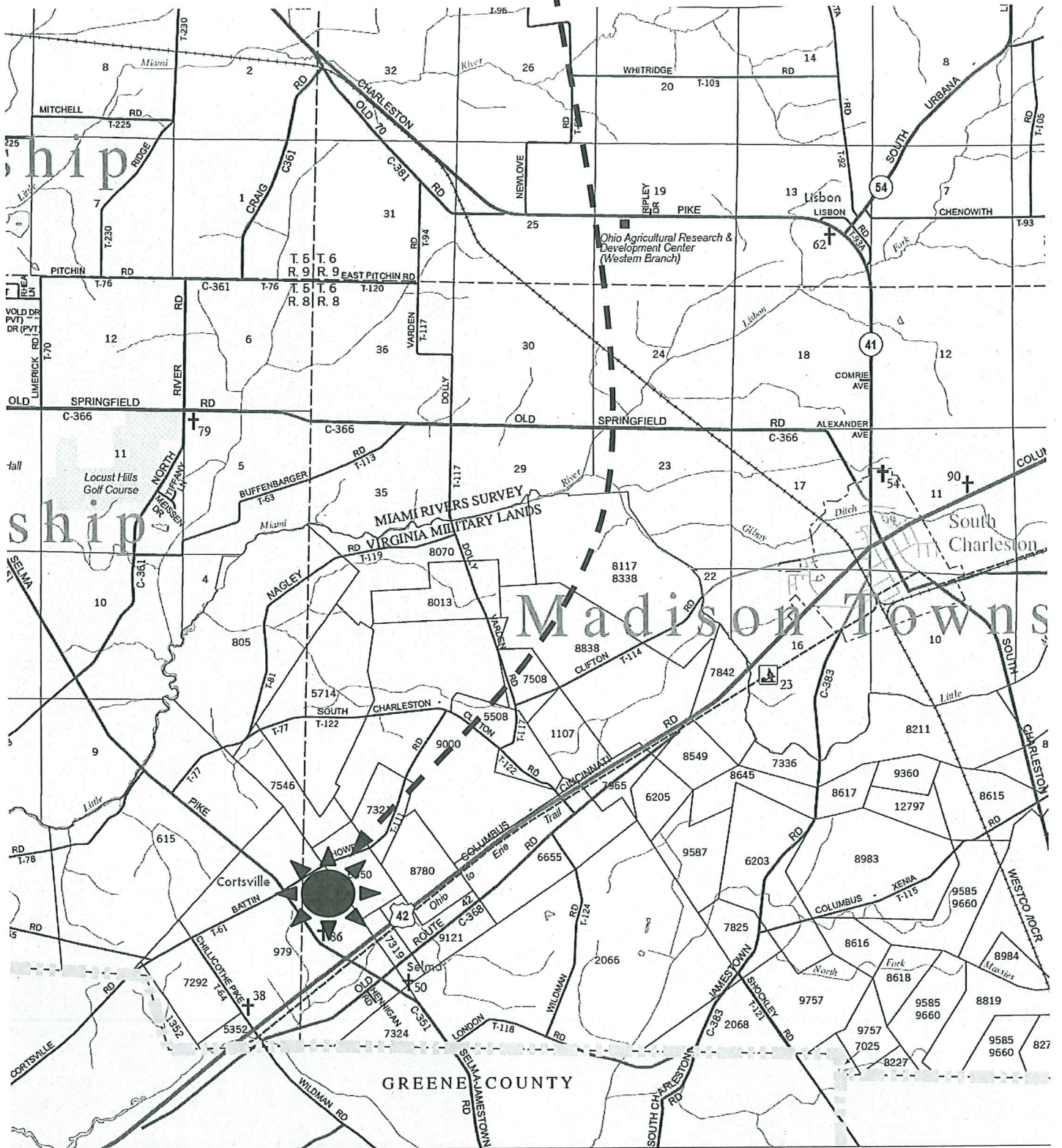
### Data Source Information

Soil Survey Area: Clark County, Ohio  
Survey Area Data: Version 11, Jan 25, 2010





# LOCATION MAP

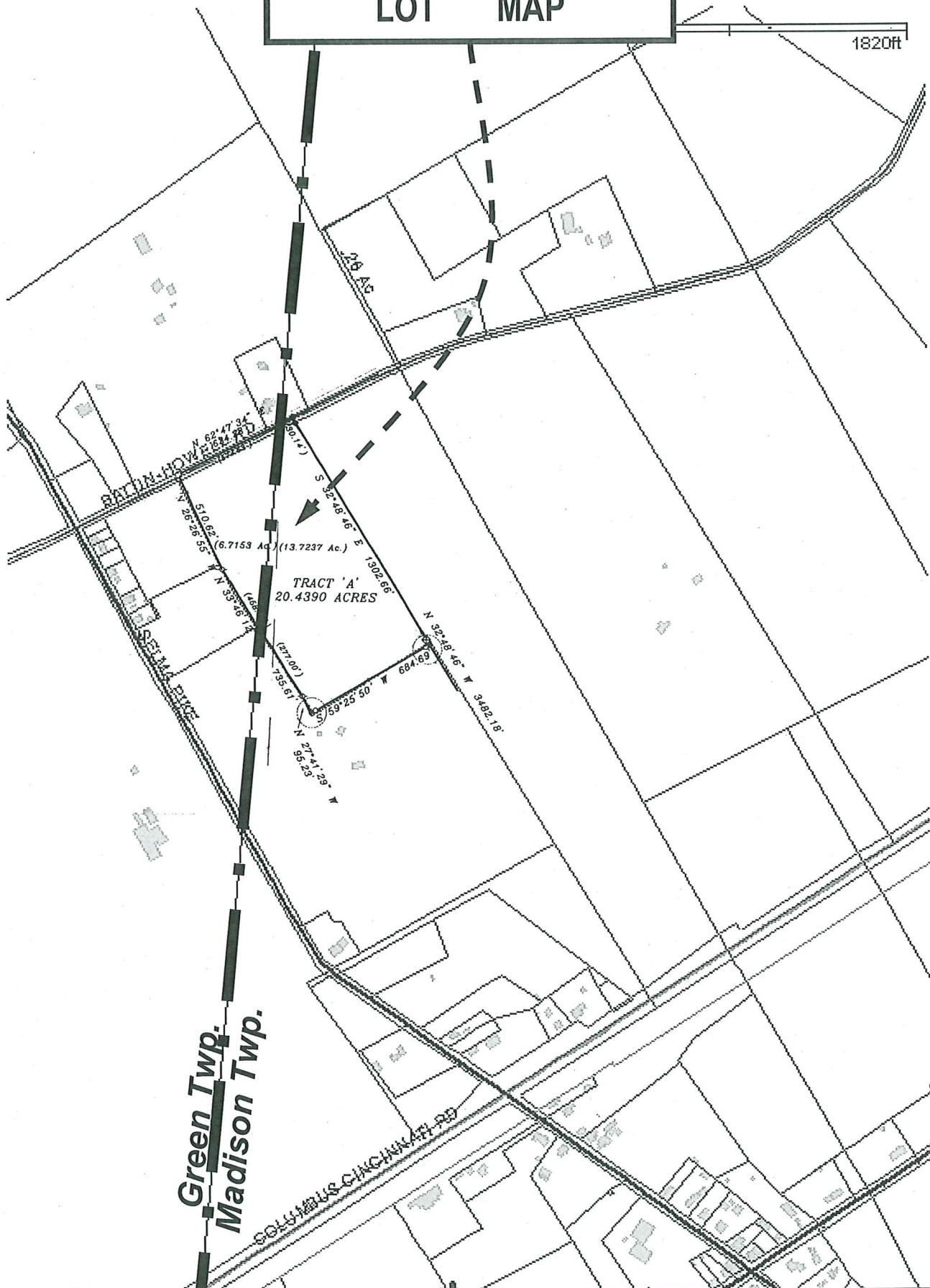


**CASE # Z-2010-2** s. side of Battin-Howell 850' e. of Selma Pk.  
**Rezone from A-1 to AR-10** 20.439 ac. Green & Madison Twp.



# LOT MAP

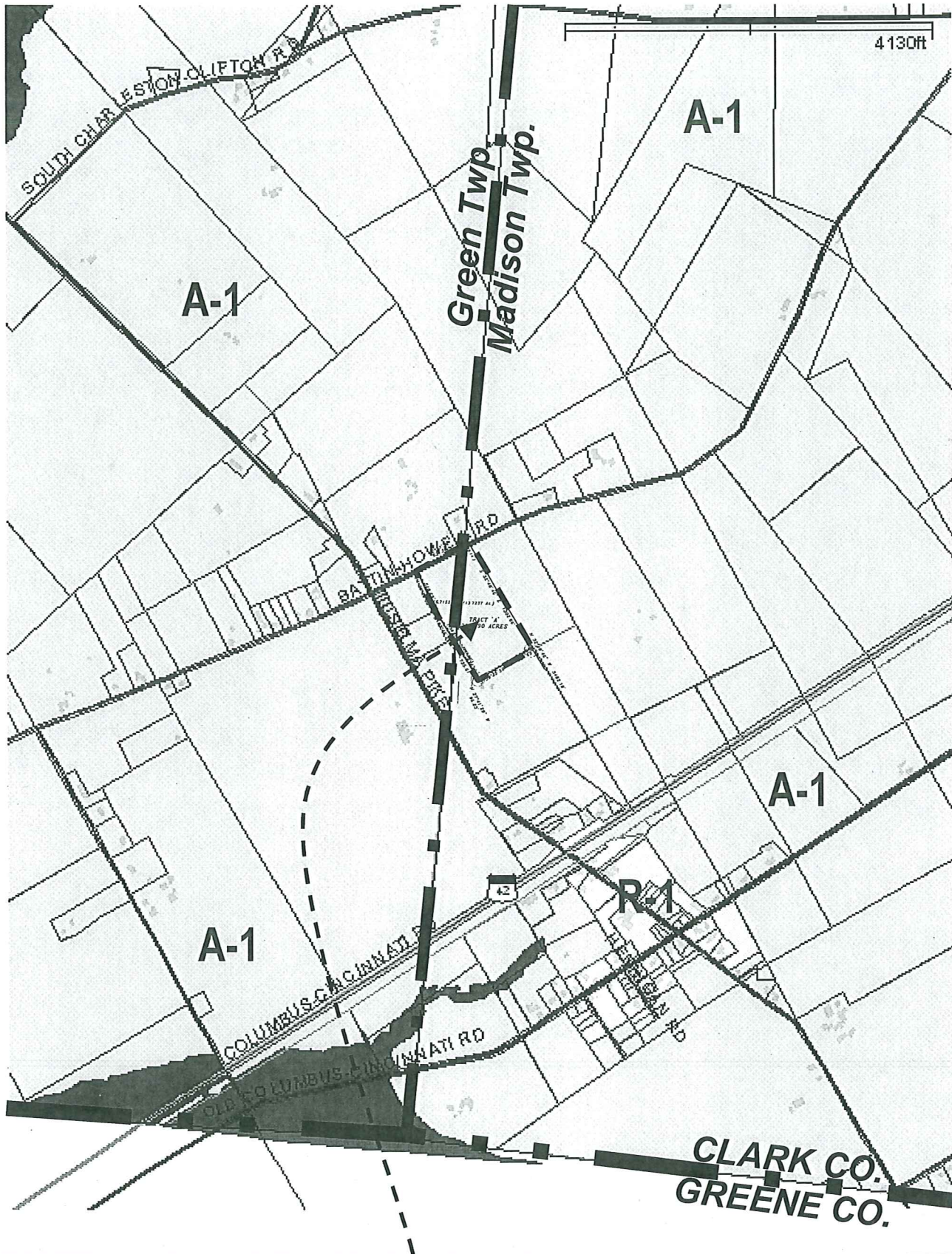
1820ft



**CASE # Z-2010-2      s. side of Battin-Howell 850' e. of Selma Pk.**  
**Rezone from A-1 to AR-10      20.439 ac.   Green & Madison Twp.**



# ZONING MAP



**CASE # Z-2010-2**      s. side of Battin-Howell 850' e. of Selma Pk.  
**Rezone from A-1 to AR-10**      20.439 ac.    Green & Madison Twp.



# CLARK COUNTY ZONING

November 2008

General Uses - see zoning text for details and other restrictions

## A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Agriculture, Farm Markets, Agricultural-Related Processing & Marketing, & related buildings & structures	
2. Single-Family Residential	
a. Single-Family Residential (restricted to lotsplits)	
b. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)	
3. Private Landing Field	
4. Day-Care Homes	
5. Bed and Breakfast	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Home Occupations	
2. Private and Public Outdoor Recreation Areas	
3. Cemeteries	
4. Animal Hospitals, Veterinary Clinics & Kennels	
5. Resource and Mineral Extraction	
6. Demolition Disposal Facility	
7. Airports	
8. Radio, Television, & Telecommunications Transmission & Receiving Towers	
9. Hospitals and Auxiliary Facilities	
10. Group Care Home	
11. Nursing Homes, Convalescent Homes, & Rest Homes	
12. Feed Lot, Grain Elevators, & Slaughterhouses	
13. Day-Care Centers	
14. Churches and Similar Places of Worship	
15. Primary and Secondary Schools	
16. Institutions of Higher Learning	
17. Garden Centers and Greenhouse	

## AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	AR-1	AR-2	AR-5	AR-10	AR-25
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary & Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

## R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
2. Bed and Breakfast	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-1	R-2	R-2A	R-2B
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
	N	N	N	Y
7. Farm Markets	Y	Y	Y	Y
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
	Y	Y	Y	N
10. Nursing Homes, Convalescent Homes, Rest Homes	Y	N	N	N
11. Radio, Television & Telecommunication Transmission / Receiving Towers	N	Y	Y	Y
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

## R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-3	R-4
1. Zero Lot Line, Cluster, Detached, Semi-detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

## R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

## PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential)
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M (Mixed Uses)
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation

Y = Yes (Permitted)

N = No (Not Permitted)



# CLARK COUNTY ZONING

November 2008

General Uses - see zoning text for details and other restrictions

## B-1

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Business and/or Professional Offices		
2. Banks, Financial Institutions, & Loan Businesses		
3. Local retail or service establishments, including:		
camera, photo, or electronic store		
luggage or leather goods store		
grocery, fruit or vegetable store		
health & fitness center including spas		
bakery goods, pizza or delicatessen store		
pressing, alteration, sewing & garment repair		
toy store, hobby shop, or home decorations store		
shoe store or shoe repair shop		
book store, news stand, or stationery store		
durable goods, furniture & appliance store		
drugstore, florist, jewelry, gift, or optical store		
hardware store		
barber or beauty shop		
laundromat, clothes cleaning & laundry pick-up station		
candy or ice cream store		
4. Restaurant excluding:		
a) Drive-in or Drive-thru		
b) those providing entertainment or dancing		
5. Radio and Television Broadcasting Studios		
6. Funeral Homes & Mortuaries		
7. Custom Butcher Shop or meat market		
8. Automotive Service Stations without repair facilities and excluding temporary or short-term or long-term outside storage of parts and/or vehicles		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Indoor Private & Commercial Recreation Establishments		
2. Day-Care Centers		
3. Clubs, Fraternal or Lodge Organizations		
4. Nursing Homes, Convalescent Homes, Rest Homes		
5. Churches & similar places of worship		

## B-2

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-1 District		
2. Indoor Motion Picture Theaters		
3. Restaurants, including Drive-in, Carry-out, and Drive-thru excluding:		
a) those providing entertainment or dancing		
4. Garden Centers and Greenhouses		
5. Printing, publishing, and lithograph shops		
6. Antique & antique refinishing shop		
7. Furniture upholstery & refinishing shop		
8. Automotive Service Stations with repair facilities and excluding temporary or short-term or long-term outside storage of parts and/or vehicles		
9. Car Rental pick up facility		
10. Car Washes		
11. Bowling alleys or billiard parlors		
12. Air Conditioning, Plumbing, Heating, and Roofing Shops		
13. Automotive Parts Store selling new or newly remanufactured parts and/or tires and batteries		
14. Indoor Private & Commercial Recreation Establishments		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Uses listed as "Conditionally Permitted Uses" in the B-1 District		
2. Animal Hospitals, Veterinary Clinics, and Kennels		
3. Bars and Taverns		

## B-3

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-2 District		
2. Building and Related Trades		
3. Building Material Sales Yard		
4. Automotive sales - new & used		
5. Automotive Repair or Body Shop provided all outside storage is screened on all sides by a well maintained 6 foot opaque wall or fence		
6. Wholesale Establishments		
7. Restaurants, including Drive-in, Carry-out, and Drive-thru and those providing entertainment or dancing		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Uses listed as "Conditionally Permitted Uses" in the B-2 District		

## B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Uses listed as "Principal Permitted & Conditioned Uses" in the B-3 District		
2. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business		
3. Bottling of Soft Drinks and Milk or Distributing Stations		
4. Contractor's Equipment Storage Yard or Storage & Rental of Contractor's Equipment		
5. Motor Vehicle, Boat, & Camper Storage		
6. Trucking and Motor Freight Station or Terminal		
7. Carting, Express, or Hauling Establishment		
8. Stone or Monument Works		
9. Mini-Warehouse or Self Storage Facility		
10. Recycling center & transfer station		
11. Research lab		
12. Private and Public Outdoor Recreation Areas		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Uses listed as "Conditionally Permitted Uses" in the B-3 District		

## O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

## I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:		
1. Industrial & Manufacturing Establishments		
2. Warehouses		
3. Wholesale Establishments		
4. Manufacturing Retail Outlets		
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District		
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)		
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District		
2. Junkyards & Automobile Wrecking Yards		
3. Resource and Mineral Extraction		
4. Penal & Correctional Facilities		
5. Sanitary Landfills		

Y = Yes (Permitted)      N = No (Not Permitted)